

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ERNESTO CRUZ,

Defendant-Petitioner,

VS.

UNITED STATES OF AMERICA,

Plaintiff-Respondent.

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Civil Action No. 3:07-CV-1674-D  
(Criminal No. 3:04-CR-254-D)

**ORDER**

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted.

**SO ORDERED.**

July 30, 2008.

  
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SIDNEY A. FITZWATER  
CHIEF JUDGE